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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

GAIL CORVELLO, ET AL)	
KEVIN BURNS, ET AL)	
COLLEEN BIGELOW, ET AL)	
and SHEILA REIS, ET AL)	
)	
VS.)	C.A. NOS. 05-221S, 05-422S
)	05-274S and 05-370S
NEW ENGLAND GAS COMPANY;)	
SOUTHERN UNION COMPANY)	
)	
VS.)	
)	
BRIDGESTONE AMERICAS TIRE)	
OPERATIONS, LLC and)	
HONEYWELL INTERNATIONAL INC.)	

**MOTION OF NON-PARTY SIMPSON FAMILY TRUST FOR LEAVE
TO FILE A REPLY BRIEF OUT OF TIME**

The Simpson Family Trust filed a motion to quash the subpoena of Southern Union Company (“SUC”) to conduct soil testing on its property located on Judson Street in Tiverton, Rhode Island. SUC has objected to the motion to quash and filed an accompanying memorandum. Pursuant to Rule 6 of the Federal Rules of Civil Procedure and local rules, a reply was due to be filed electronically within 10 days thereafter. This period appears to have expired on or about Monday, April 16, 2012.

In the interest of justice, Simpson Family Trust requests this court for leave to file a reply memorandum out of time for the following reasons. Non-party’s counsel has not been involved in the underlying litigation and, given the voluminous amount of information, legal issues and parties involved, and particularly those set forth in SUC’s opposition brief, it has taken more time than expected for counsel to compile and understand the issues, both factual and legal, involved in this

ongoing dispute. Furthermore, counsel for Simpson Family Trust has attempted to investigate ways in which the motion to quash may be resolved. Although a resolution is not possible, it has taken time away from preparation of the reply.

The motion to quash is currently set down for hearing before Magistrate Almond on April 26, 2012.

WHEREFORE, non-party Simpson Family Trust respectfully requests this Court grant it leave to file a reply memorandum out of time.

SIMPSON FAMILY TRUST
By its Attorney,

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CERTIFICATION

I hereby certify that I have filed the within with the United States District Court on this 18th day of April, 2012, that a copy is available for viewing and downloading via the ECF system, and that I have caused a copy to be sent to:

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